

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

IN RE: ) CHAPTER 7  
STRICK CHEX GRIFFIN ONE, LLC, ) CASE NO. 15-11278-whd  
Debtor. )

**APPLICATION FOR ORDER AUTHORIZING TRUSTEE TO EMPLOY ATTORNEYS**

COMES NOW, GRIFFIN E. HOWELL, III, duly qualified and acting as Trustee in the above referenced matter, and shows the Court as follows:

1. That he is the duly appointed, qualified and acting Trustee in this case.
2. To perform his duties as Trustee, he requires the services of an attorney to serve as general counsel to perform duties including the following: to recover assets/property of the estate, represent the Trustee in adversarial proceedings, and specifically, to obtain approval of sale or compromise of claim, and review and object to proofs of claim.
3. Applicant proposes to employ Griffin E. Howell, III and the firm GRIFFIN E. HOWELL, III & ASSOCIATES, LTD., which firm is comprised of attorneys duly qualified and acting members of the bar of this Court. Applicant has selected this firm for the reason that said firm has had considerable experience in matters of this character and is well qualified to represent him.
4. To the best of applicant's knowledge, said firm and its members are disinterested as that term is defined in 11 U.S.C. §101 and do not represent or hold any interest adverse to the interest of the estate with respect to matters on which it is to be employed as it appears from the Declaration of Griffin E. Howell, III, attached hereto.
5. To the best of applicant's knowledge, said firm does not have a pre-petition claim or other claim against the estate, does not have any connections with the debtor(s), creditors or other parties in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee with the exception to the connections which are specifically disclosed in the Declaration of Griffin E. Howell, III, attached hereto.

6. Said employment is to be at the normal billing rates of said firm in the amount of \$305.00 per hour for Griffin E. Howell, III, which is subject to periodic adjustments to reflect economic and other conditions, subject to final approval of the Court. Applicant prays that said law firm be authorized to act as attorney for the Trustee in this matter, and to present such petitions and motions as may be necessary on behalf of the Trustee.

WHEREFORE, Applicant prays that he be authorized to employ GRIFFIN E. HOWELL, III, and the law firm GRIFFIN E. HOWELL, III & ASSOCIATES, LTD. as his attorneys to represent him in connection with this case as set forth herein.

Respectfully submitted,

/s/ Griffin E. Howell, III  
Griffin E. Howell, III  
Chapter 7 Trustee  
GA BAR NO. 372225

127 ½ E. Solomon Street  
P.O. Box 551  
Griffin, GA 30224  
Ph: (770) 227-0110  
Fax: (770) 227-0112  
[newhow@bellsouth.net](mailto:newhow@bellsouth.net)

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**DECLARATION OF GRIFFIN E. HOWELL, III**

I, GRIFFIN E. HOWELL, III, declare:

1.

I am an attorney duly admitted to practice before all Courts of the State of Georgia, as well as this Court.

2.

It is my law firm that the Trustee is seeking to employ by the Application to which this Declaration is attached.

3.

I have extensive experience in bankruptcy, insolvency corporate reorganization, and Debtor/Creditor law. I am well qualified to represent the Trustee specifically herein, and am willing to accept employment on the basis set forth in the annexed petition.

4.

I do not hold any interest adverse to the above-entitled estate, and I am a disinterested person as defined by 11 U.S.C. §101.

5.

I do not have a pre-petition or other claim against the estate.

6.

I do not have any non-disclosed connection with the Debtor(s) or the Debtor(s)' attorney. I have not in the past, and I do not plan in the future, to represent any related debtors or principals.

7.

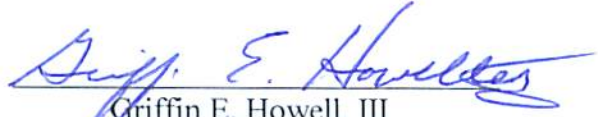
I do not have any connection with any creditors or other parties in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee except as follows: None, other than my membership on the panel of chapter 7 trustees appointed by the United States Trustee.

8.

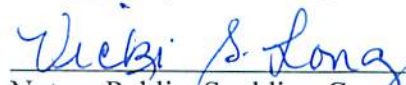
I have not received a retainer from the Debtor(s), the estate, a principal of the Debtor(s), or a third party.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15 day of February, 2016.

  
Griffin E. Howell, III  
GA Bar No.: 372225

Sworn to and subscribed before me  
this 15 day of February, 2016.

  
Notary Public, Spalding County, GA.  
My Commission expires: 1/16/18



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**ORDER**

Upon the annexed petition [Docket No. ] of Griffin E. Howell, III, Trustee in the above-styled matter, praying for authority to employ Griffin E. Howell, III, and the law firm Griffin E. Howell, III & Associates, Ltd., as attorneys for the Trustee to serve as general counsel to perform duties including the following: to recover assets/property of the estate, represent the Trustee in adversarial proceedings, and specifically, to obtain approval of sale or compromise of claim, and review and object to proofs of claim; and it appearing that no notice of hearing on said petition should be given, and no adverse interest having been presented, and it further appearing that Griffin E. Howell, III, and the law firm Griffin E. Howell, III & Associates, Ltd., are attorneys duly admitted to practice in this Court, and the Court being satisfied that said firm represents no interest adverse to said estate in the matters upon which it is to be engaged, and that employment of counsel is necessary and would be in the best interest of the estate, it is

**ORDERED** that Griffin E. Howell, III, and the law firm Griffin E. Howell, III & Associates, Ltd., are hereby authorized to act as attorneys in the above-styled matter.

A copy of the Application and Order having been served upon the United States Trustee, this Order is entered subject to the objection of the United States Trustee, which objection must be filed within twenty (20) days of the entry of this Order.

**END OF DOCUMENT**

Prepared and presented by:

/s/ Griffin E. Howell, III  
Griffin E. Howell, III  
Chapter 7 Trustee  
GA Bar No.: 372225  
127 ½ E. Solomon Street  
P.O. Box 551  
Griffin, GA 30224  
Ph: (770) 227-0110  
Fax: (770) 227-0112  
newhow@bellsouth.net

**DISTRIBUTION LIST**

**United States Trustee**  
R. Jeneane Treace, Esq.  
Office of the United States Trustee  
362 Richard Russell Building  
75 Ted Turner Drive, SW  
Atlanta, GA 30303

**Debtor's Attorney**  
J. Nevin Smith, Esq.  
Smith Conerly, LLP  
402 Newnan Street  
Carrollton, GA 30117

**Chapter 7 Trustee**  
Griffin E. Howell, III  
Chapter 7 Trustee  
P.O. Box 551  
Griffin, GA 30224-0551

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**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the within and foregoing  
*Application for Order Authorizing Trustee to Employ Attorneys and Proposed Order* upon the  
following:

J. Nevin Smith, Esq.  
Smith Conerly, LLP  
402 Newnan Street  
Carrollton, GA 30117

R. Jeneane Treace, Esq.  
Office of the United States Trustee  
362 Richard Russell Building  
75 Ted Turner Drive, SW  
Atlanta, GA 30303

by placing the same in the United States Mail in a properly addressed envelope with adequate  
postage thereon to insure delivery.

This 15 day of February, 2016

Respectfully submitted,

/s/ Griffin E. Howell, III  
Griffin E. Howell, III  
Chapter 7 Trustee  
GA BAR NO. 372225

127 ½ E. Solomon Street  
P.O. Box 551  
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